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08 MAY -9 PM 3:26
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

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Student Loan Xpress, Inc.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 CV 0846 J JMA

FABRIZIO BALESTRI, Plaintiff, v. CIT GROUP, INC., STUDENT LOAN XPRESS, INC., AND DOES 1 THROUGH 30, INCLUSIVE, Defendants.	Case No.: ______________ **NOTICE OF RELATED CASES** Local Rule 40.1

PLEASE TAKE NOTICE that pursuant to Local Rule 40.1, Defendants CIT Group Inc., and Student Loan Xpress, Inc. state that the above-captioned action is related to the action identified below; each involve breach of contract claims for wages and bonuses allegedly achieved by Plaintiff and unpaid by Defendants CIT Group Inc. and Student Loan Xpress, Inc.:

Michael Shaut v. CIT Group Inc. and Student Loan Xpress, Inc., Case No. 1:08-CV-1114, filed on March 28, 2008, and pending in the United States District Court for the Northern District of Ohio.

Assignment to a single district judge is unlikely to effect a saving of judicial effort or other economies. Michael Shaut is a resident of Ohio, and originally brought his suit in Ohio State Court before it was properly removed by Defendants to the United States District Court for the Northern District of Ohio. Defendants additionally believe that Shaut's claims may be subject to arbitration under a lawful arbitration agreement. Plaintiff Fabrizio Balestri, on the other hand, is a California resident and originally filed his suit in California State Court before Defendants filed their timely removal to this Court. Consolidation of these actions, therefore, would burden either Mr. Shaut or Plaintiff by requiring one or the other to litigate his suit in a forum outside his state of residence.

PLEASE TAKE FURTHER NOTICE the undersigned counsel of record is not aware of any other related cases in this district or in the State of California.

Dated: May 9, 2008

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By: [signature]
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